

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA

*

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v.

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Case No. 2:05-cr-119-MEF

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PAUL MICHAEL HAMRICK

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OBJECTIONS TO GOVERNMENT'S PROPOSED EXHIBITS

Mr. Hamrick respectfully makes objections to the government's proposed exhibits.

1. The following listed exhibits were omitted from the two boxes of marked exhibits provided to defense counsel on April 14: exhibit numbers 29, 33, 54, 70, 82, 105, 119-125, 128, 158-164, 166-168, 189-197d, and 223. Mr. Hamrick reserves the right to object to these exhibits until he receives a copy and has an opportunity to review them. Also, a number of the provided exhibits do not have an exhibit number on them or the exhibit sticker was cut off such that one could not see the number. Mr. Hamrick respectfully requests that the government provide him with a clear copy.

2. Several exhibits contain cover letters, facsimile transmittal sheets, or other notations referencing compliance with subpoenas. Many are addressed to law enforcement or to the U.S. Attorney's Office. [See, e.g., Exhibit #28 which begins with a letter from First Commercial Bank to FBI Special Agent Keith Baker; Exhibit #83 which contains a typed notation "send to Feaga, Steve USAO-Montgomery, AL;" Exhibit #185 which begins with a letter from the Bank of Brundidge to Investigator Bill Long; Exhibit #188 which contains handwritten notations "Bill Long 334-242-0928."] Mr. Hamrick respectfully requests that these letters and sheets be removed and any such notations be redacted.

3. Exhibit #85a: it contains a second exhibit sticker (it reads "Exhibit #102A") located

right next to the trial exhibit sticker. Mr. Hamrick respectfully requests that this additional exhibit sticker be redacted.

4. Exhibit #112: it is described as "Sunday Beer Sales Legislative Tracking." Mr. Hamrick objects on the grounds of authenticity.
5. Exhibit #117: it begins with a cover letter from the FBI Special Agent in Charge, Mobile Field Office, to the U.S. Attorney's Office and refers to the enclosed "expert report" of Tyler McCurdy. McCurdy's report is then exhibited. Mr. Hamrick requests that the cover letter be removed. Mr. Hamrick objects to the admission of the report on the grounds of hearsay; Mr. Hamrick also concurs with and adopts the objections to Exhibit #117 listed by Gov. Siegelman in his objections to the government's proposed exhibits (Doc. 366; p. 14).
6. Exhibit #150: it is a transcript of a monitored telephone conversation between Lanny Young and Bill Blount. Mr. Hamrick objects on the grounds of hearsay.
7. Exhibit #171: it is an unsigned letter from Henry Mabry to Gov. Siegelman. Mr. Hamrick objects on the grounds of authenticity and hearsay.
8. Exhibit #205: this exhibit is a duplicate; it is the same as the first page of Exhibit #198. Mr. Hamrick objects to the duplication and requests that it be removed.
9. Exhibit #206: this exhibit is a duplicate; it is the same as the second and third pages of Exhibit #198. Mr. Hamrick objects to the duplication and requests that it be removed.
10. Exhibit #217: this exhibit contains two checks. The backs of the two checks are not exhibited. Mr. Hamrick objects on the grounds of authenticity.
11. Exhibit #218: this exhibit consists of several records regarding the purchase of clothing by Mr. Hamrick. Mr. Hamrick objects on the grounds of authenticity, relevance, and

unfair prejudice or confusion (FRE 403). The exhibit contains account records from periods of time not covered by the indictment (it includes records for time periods both before and after the times relevant to the indictment). It contains handwritten notations such as "check" and "cash" which Mr. Hamrick requests be redacted. And there is duplication as well (the fourth page of the records entitled "account history 9/28/00-9/2/04" is the same as the first page of that series). Mr. Hamrick requests that the duplicate be removed.

12. Exhibit #229: this exhibit contains a check. The back of the check is not exhibited.

Mr. Hamrick objects on the grounds of authenticity.

13. Exhibit #238: this exhibit is a duplicate; it is the same as the third page of Exhibit #217. Mr. Hamrick objects to the duplication and requests that it be removed.

14. The government lists a number of bank accounts as being exhibits (e.g., Exhibits 189-197d which are not included) and then lists items from those accounts as separate exhibits (e.g., Exhibits #216, 217, 230, 238, 244, 247 and 257). Mr. Hamrick objects to the duplication/redundancy and requests that the individual items be removed from the exhibits.

15. As reserved by the government in its response to the defendants' proposed exhibits (Doc. 367), Mr. Hamrick also respectfully requests to reserve objection to the admissibility of any proposed exhibit until it is offered at trial. See, FRE 104.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on April 18, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel of record.

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